

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

THE BOEING COMPANY,

Defendant

No. 4:21-CR-5-O

**UNITED STATES' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO
RESPOND TO MOTIONS FILED BY REPRESENTATIVES OF THE CRASH VICTIMS
OF LION AIR FLIGHT 610 AND ETHIOPIAN AIRLINES FLIGHT 302**

The United States of America, by and through undersigned counsel, respectfully submits the following Unopposed Motion for an Extension of Time to Respond to Motions Filed by Representatives of the Crash Victims of Lion Air Flight 610 and Ethiopian Airlines Flight 302, and in support thereof states as follows:

On or about January 5, 2021, the United States and The Boeing Company entered into a written Deferred Prosecution Agreement (the "Agreement").

On January 7, 2021, the Agreement, Dkt. No. 4, accompanying Criminal Information, Dkt. No. 1, Waiver of Indictment, Dkt. No. 3, and Joint Motion for Exclusion of Time Under the Speedy Trial Act (the "Joint Motion"), Dkt. No. 5, were all publicly filed and assigned to this Court.

On January 24, 2021, this Court granted the parties' Joint Motion and ordered that all further criminal proceedings in this matter, including trial, be continued until further motion of the parties; and further approved the exclusion from the computation of time in which a trial must be commenced under the Speedy Trial Act a period of 3.5 years from the date on which the Information was filed. Dkt. No. 13.

On December 16, 2021, representatives of fifteen victims of the crashes of Lion Air Flight 610 and Ethiopian Airlines Flight 302, on their behalf and on behalf of other similarly situated representatives, contemporaneously filed three motions with accompanying exhibits (collectively, the “Motions”). The Motions include four filings—totaling more than 150 pages—that seek various relief under the Crime Victims’ Rights Act, 18 U.S.C. § 3771 (“CVRA”). *See* Dkt. Nos. 15-18.

The United States intends to file a consolidated response to the Motions. Given the total length of the Motions and the various issues raised therein, as well as upcoming holidays, the United States respectfully requests a two-week extension of the typical time to respond, until January 13, 2022. *See* L. Cr. R. 47.1(e) (“A response and brief to an opposed motion must be filed within 14 days from the date the motion is filed.”).

* * *

CONCLUSION

For the foregoing reasons, the United States respectfully requests that the Court grant the Unopposed Motion for an Extension of Time to Respond, and allow the United States to file its consolidated response on January 13, 2022.

Respectfully submitted,

JOSEPH S. BEEMSTERBOER
Acting Chief, Fraud Section
Criminal Division
United States Department of Justice

CHAD E. MEACHAM
Acting United States Attorney
Northern District of Texas

By: s/ Cory E. Jacobs
Cory E. Jacobs, Trial Attorney
New York Bar No. 4761953
cory.jacobs@usdoj.gov

Michael T. O'Neill, Assistant Chief
New York Bar No. 4689782
michael.t.oneill@usdoj.gov

Scott Armstrong, Trial Attorney
District of Columbia Bar No. 993851
scott.armstrong@usdoj.gov

United States Department of Justice
Criminal Division, Fraud Section
1400 New York Avenue, N.W.
Washington, D.C. 20005
202-514-2000

By: s/ Alex C. Lewis
Alex C. Lewis, Assistant U.S. Attorney
Missouri Bar No. 47910
alex.lewis@usdoj.gov

United States Attorney's Office
Northern District of Texas
801 Cherry Street, 17th Floor
Fort Worth, TX 76102
817-252-5200

CERTIFICATE OF CONFERENCE

Pursuant to Local Criminal Rule 47.1(b), on December 21, 2021, counsel for the United States conferred with counsel for the movants, Paul G. Cassell, Esq., and counsel for The Boeing Company, Benjamin L. Hatch, Esq., who each stated that they are unopposed to this motion.